

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TANESHIA RODGERS,	)	
	)	
Plaintiff,	)	Case No: 4:20-CV-00998
	)	
v.	)	<b><u>JURY TRIAL DEMANDED</u></b>
	)	
SECURA INSURANCE COMPANY,	)	
	)	
Defendant.	)	

**MOTION TO DISMISS**

COMES NOW Defendant SECURA Insurance, A Mutual Company (“SECURA”), by and through undersigned counsel, pursuant to Fed. R. Civ. P. 12(b)(6), and moves the Court for an order dismissing Plaintiff’s Petition for failure to state a claim, and in support of the same, states as follows:

1. On July 30, 2020, SECURA removed this present action from the Circuit Court of St. Louis County, Missouri.
2. Plaintiff’s Petition, originally filed in the Circuit Court of St. Louis County, alleges Plaintiff Taneshia Rodgers sustained certain damages as a result of a motor vehicle collision with uninsured driver Daja Jamerson.
3. Plaintiff seeks recovery of \$200,000 against SECURA premised only on the insufficient conclusory statements that Plaintiff is “entitled to the protection of uninsured motorist coverage.”
4. Plaintiff’s Petition fails to state a claim upon which relief may be granted because the facts plead are insufficient to establish and maintain a count for breach of the uninsured motorist contract.

5. As such, Plaintiff's Petition should be dismissed.

6. In further support of its motion, SECURA incorporates herein by reference its Memorandum of Law in Support filed contemporaneously herewith.

WHEREFORE, Defendant SECURA Insurance, A Mutual Company respectfully requests this honorable Court dismiss Plaintiff's Petition for failure to state a claim, and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

BAKER STERCHI COWDEN & RICE LLC

By: /s/ Richard I. Woolf

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**SECURA Insurance, A Mutual Company**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7<sup>th</sup> day of August, 2020, the foregoing was filed electronically using the Court's CM/ECF system, and served via electronic on the following counsel of record:

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